

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference T-4001-PCT	FOR FURTHER ACTION	
		See Form PCT/IPEA/416
International application No. PCT/JP2004/010891	International filing date (<i>day/month/year</i>) 23.07.2004	Priority date (<i>day/month/year</i>) 24.07.2003
International Patent Classification (IPC) or national classification and IPC B65D81/34 , B65D33/01		
Applicant TOPPAN PRINTING CO., LTD.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 6 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: <ul style="list-style-type: none"> a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of _____ sheets, as follows: <ul style="list-style-type: none"> <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- international search (Rule 12.3 and 23.1(b))
- publication of the international application (Rule 12.4)
- international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

the international application as originally filed/furnished

the description:
pages _____ as originally filed/furnished
pages* _____ received by this Authority on _____
pages* _____ received by this Authority on _____

the claims:
nos. _____ as originally filed/furnished
nos.* _____ as amended (together with any statement) under Article 19
nos.* _____ received by this Authority on _____
nos.* _____ received by this Authority on _____

the drawings:
sheets _____ as originally filed/furnished
sheets* _____ received by this Authority on _____
sheets* _____ received by this Authority on _____

a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. The amendments have resulted in the cancellation of:

- the description, pages _____
- the claims, nos. _____
- the drawings, sheets/figs _____
- the sequence listing (*specify*): _____
- any table(s) related to sequence listing (*specify*): _____

4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- the description, pages _____
- the claims, nos. _____
- the drawings, sheets/figs _____
- the sequence listing (*specify*): _____
- any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	
1. Statement		
Novelty (N)	Claims	<u>1-18</u>
		YES
	Claims	<u> </u>
		NO
Inventive step (IS)	Claims	<u>4-11, 15</u>
		YES
	Claims	<u>1-3, 12-14, 16-18</u>
		NO
Industrial applicability (IA)	Claims	<u>1-18</u>
		YES
	Claims	<u> </u>
		NO
2. Citations and explanations (Rule 70.7)		
Document 1:	JP 2001-270569 A (Fuji Seal, Inc.), 2 January 2001	
Document 2:	JP 2003-182780 A (Dainippon Printing Co., Ltd.), 3 July 2003	
Document 3:	JP 2001-10678 A (Dainippon Printing Co., Ltd.), 16 January 2001	
Document 4:	JP 10-101154 A (Kabushiki Kaisha Sun A Kaken), 21 April 1998	
<u>The invention set forth in claim 1</u>		
<p>The invention set forth in claim 1 does not involve an inventive step in the light of documents 1 and 2 listed above and cited in the international search report.</p> <p>Document 1 discloses a packaging bag comprising both a front and rear sheet of film each having a sealant layer, said sheets being placed together opposite one another with the sealant layers on the inner sides thereof, said packaging bag being characterised in that the front part of the main film is folded across the entire width of the bag to form a folded part parallel with the bottom seal, a steam releasing port (steam exhaust ports 20a, 20b) is provided in the folded part,</p>		

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an easily peelable tape (easy-peeling tape 10), which is easy to detach at one end, is provided in the folded part, running across the width of the bag parallel with the folded part, the easily peelable surface of the easily peelable tape is located on the inner panel surface part of the folded part and provided with a heat-sealed seal closing portion, and the easily peelable seal portion is positioned around the aforementioned steam-releasing port. Document 2 discloses a packaging bag comprising both a front and rear sheet of film each having a sealant layer, said sheets being placed together opposite one another with the sealant layers on the inner sides thereof, said packaging bag being characterised in that the front part of the main film is folded across the entire width of the bag to form a Z-shaped folded part parallel with the bottom seal in which the inner panel surface part and the outer panel surface part oppose each other and wherein a steam-releasing port is provided in the aforementioned folded part. It would be easy for a person skilled in the art to combine these inventions, thereby deriving the invention set forth in claim 1.

The invention set forth in claims 2 and 12

The invention set forth in claims 2 and 12 does not involve an inventive step in the light of documents 1 and 2 cited in the international search report. The invention set forth in claims 2 and 12 is considered to be that disclosed in document 1 (See fig. 4).

The invention set forth in claim 3

The invention set forth in claim 3 does not involve an inventive step in the light of documents 1 and 2 cited

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in the international search report. Document 1 discloses the feature of providing a steam-releasing port cut out of the seal closing part (see paragraph [0019]).

The invention set forth in claim 13

The invention set forth in claim 13 does not involve an inventive step in the light of documents 1-3 cited in the international search report. Documents 1 and 3 disclose the feature wherein the main film is thermally fused through punched-out holes in the easy peeling tape.

The invention set forth in claim 14

The invention set forth in claim 14 does not involve an inventive step in the light of documents 1-3 cited in the international search report. The technical feature set forth in claim 14 is disclosed in document 1.

The invention set forth in claim 16

The invention set forth in claim 16 does not involve an inventive step in the light of documents 1-3 cited in the international search report. The technical feature disclosed in claim 16 is disclosed in documents 1 and 3.

The invention set forth in claim 17

The invention set forth in claim 17 does not involve an inventive step in the light of documents 1-4 cited in the international search report. Document 4 discloses the feature of providing an easy cut means (notch 8) in the vicinity of the provisional location of the top seal.

The invention set forth in claim 18

The invention set forth in claim 18 does not involve

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an inventive step in the light of documents 1-4 cited in the international search report. Document 4 discloses the feature wherein the contents of the bag are filled from the side where the top seal will be, and then the place where the top seal will be is closed using heat-sealing. Document 1 discloses the feature wherein the main film having a folded part formed therein is placed horizontally with the folded part upright, the package is heated, the easy peeling tape and inner panel surface are forced to detach from one another at the detachable seal region within the seal closing portion of the folded part due to the swelling deformation that occurs with the increase in pressure inside the bag, and steam is released from the opened steam-releasing port.

The invention set forth in claims 4-11 and 15

The invention set forth in claims 4-11 and 15 is not disclosed in any of the documents cited in the international search report. Moreover, it is not obvious to a person skilled in the art.